

Appl. No. 10/672,414
Docket No. 9369
Amdt. dated December 11, 2008
Reply to Office Action mailed on September 22, 2003
Customer No. 27752

REMARKS

Claim Status

Claims 1-3, 7-9, and 19-20 are pending in the present application. No additional claims fee is believed to be due.

Rejection Under 35 USC §103(a) Over U.S. Patent No. 6,211,211 in view of U.S. Patent No. 4,325,768 and optionally in view of U.S. Patent Application No. 2004/0118530

Claims 1-3, 7-9, 19-20 are rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over U.S. Patent No. 6,211,211 to Hollenberg et al. (“Hollenberg”) in view of U.S. Patent No. 4,325,768 to Schulz (“Schulz”) and optionally in view of U.S. Patent Application No. 2004/0118530 to Kressner et al. (“Kressner”). The Examiner asserts that Hollenberg teaches a multi-ply product containing indicia to indicate the presence of some unique ingredients within the tissue product. The Examiner recognizes that Hollenberg fails to teach that its fibrous structure comprises an embossment. In an attempt to overcome the deficiencies of Hollenberg, the Examiner combines the teachings of Schulz with the teachings of Hollenberg. The Examiner asserts that Schulz teaches a laminated creped fibrous web material with an embossed pattern. The Examiner further asserts that Kressner teaches a facial, bath tissue or wipe product comprising a fibrous material and patterned indicia wherein the product is packaged for eventual sale. The Examiner combines the teachings of Kressner with the teachings of Hollenberg and Schulz to conclude that the claimed invention, as claimed, would have been obvious.

Applicants respectfully submit that Hollenberg in view of Schulz and optionally in view of Kressner fails to teach each and every element of Claim 1, the independent claim, because they fail to teach that their fibrous structures that comprise a colored ply bond adhesive, which comprises an ingredient, are packaged in an external package, which itself comprises a non-verbal cue that communicates the ingredient. Applicants submit that nowhere do any of the cited references teach an external package that comprises a non-verbal cue that communicates an ingredient contained within their fibrous structure’s colored ply bond adhesive. Accordingly, Applicants submit that Claim 1 is not rendered obvious over Hollenberg in view of Schulz and optionally in view of Kressner. MPEP

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2143.03. Further, Applicants submit that Claims 2-3, 7-9 and 19-20, which ultimately depend from Claim 1, are not rendered obvious over Hollenberg in view of Schulz and optionally in view of Kressner. MPEP 2143.03.

Rejection Under 35 USC §103(a) Over U.S. Patent No. 6,211,211 and

optionally in view of U.S. Patent Application No. 2004/0118530

and further in view of U.S. Patent No. 6,905,697

Claims 7-9 are rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over Hollenberg and Kressner, both discussed above, and further in view of U.S. Patent No. 6,905,697 to Baumöller, et al. (“Baumöller”). The Examiner recognizes that Hollenberg fails to explicitly teach the specific claimed ingredients in Claims 7-9. The Examiner combines the teaching of Baumöller with the teachings of Hollenberg, optionally in view of Kressner, to conclude that the claimed invention as claimed in Claims 7-9 is obvious.

Applicants respectfully submit that Claims 7-9, which ultimately depend from Claim 1, are not rendered obvious for the same reasons that Claim 1 is not rendered obvious over Hollenberg and optionally Kressner, as discussed above. MPEP 2143.03.

Rejection Under 35 USC §103(a) Over U.S. Patent No. 6,211,211

in view of U.S. Patent No. 6,905,697

Claims 1-3, 7-9, and 19-20 are rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over Hollenberg in view Baumöller, both discussed above. The Examiner asserts that Hollenberg teaches a multi-ply product containing indicia to indicate the presence of some unique ingredients within the tissue product. The Examiner recognizes that Hollenberg fails to teach that its fibrous structure comprises an embossment and that it is packaged in a package. In an attempt to overcome the deficiencies of Hollenberg, the Examiner combines the teachings of Baumöller with the teachings of Hollenberg. The Examiner asserts that Baumöller teaches an embossed tissue web comprising a lotion that is packaged in an external

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package. The Examiner concludes that the teachings of Hollenberg in view of Baumöller would have been obvious at the time of the claimed invention.

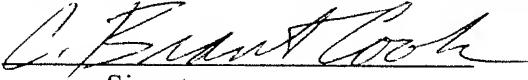
Applicants respectfully submit that Hollenberg in view of Baumöller fail to teach each and every element of Claim 1, the independent claim, because they fail to teach that their fibrous structures that comprise a colored ply bond adhesive, which comprises an ingredient, are packaged in an external package, which itself comprises a non-verbal cue that communicates the ingredient. Applicants submit that nowhere do either of the cited references teach an external package that comprises a non-verbal cue that communicates an ingredient contained within their fibrous structure's colored ply bond adhesive. Accordingly, Applicants submit that Claim 1 is not rendered obvious over Hollenberg in view of Baumöller. MPEP 2143.03. Further, Applicants submit that Claims 2-3, 7-9 and 19-20, which ultimately depend from Claim 1, are not rendered obvious over Hollenberg in view of Baumöller. MPEP 2143.03.

Conclusion

This response represents an earnest effort to place the present application in proper form and to distinguish the invention as claimed from the applied reference(s). In view of the foregoing, reconsideration of this application, and allowance of the pending claim(s) are respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By 
Signature
C. Brant Cook

Date: December 11, 2008

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(Amendment-Response to Office Action.doc)

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